

# EXHIBIT 1

**STARK & STARK**

A Professional Corporation

Mailing Address: PO Box 5315, Princeton, NJ 08543

Office Location: 993 Lenox Drive, Lawrenceville, NJ 08648

609.896.9060

Michael G. Donahue, III, Esq., Attorney ID#: 045771994

Attorneys for Plaintiffs

JOAO MATIAS and ARMANDA MATIAS, his wife,

Plaintiffs,

vs.

APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK,  
INC.; MAERSK A/S; MAERSK AGENCY USA, INC.;  
MAERSK SERVICES USA INC.; XYZ ENTITIES 1-10;  
ABC CORPORATIONS 1-10; and/or JOHN DOES 1-10  
(fictitious designations),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY  
LAW DIVISION

Docket No. UNN-L-1388-21

**CIVIL ACTION**

**SUMMONS**

**From The State of New Jersey to The Defendant(s) Named Above: Maersk Agency U.S.A., Inc.**

The plaintiff named above has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the Deputy Clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each Deputy Clerk of the Superior Court is available in the Civil Division Management Office in the County listed above and online at [https://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](https://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey, and a completed Case Information Statement (available from the Deputy Clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney, whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live, or the Legal Services of New Jersey Statewide Hotline, at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [https://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](https://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).

/s/ Michelle M. Smith

Michelle M. Smith

Clerk of the Superior Court

DATED: April 22, 2021

Name of Defendant to be served: Maersk Agency U.S.A., Inc.  
Address of Defendant to be served: c/o C T CORPORATION SYSTEM  
820 BEAR TAVERN ROAD  
WEST TRENTON, NJ 08628

STARK & STARK  
ATTORNEYS AT LAW

## Directory of Superior Court Deputy Clerk's Offices

### County Lawyer Referral and Legal Services Offices

**ATLANTIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401  
LAWYER REFERRAL  
(609) 345-3444  
LEGAL SERVICES  
(609) 348-4200

**ESSEX COUNTY:**

Deputy Clerk of the Superior Court  
Civil Customer Service  
Hall of Records, Room 201  
465 Dr. Martin Luther King Jr. Blvd.  
Newark, NJ 07102  
LAWYER REFERRAL  
(973) 622-6204  
LEGAL SERVICES  
(973) 624-4500

**MONMOUTH COUNTY:**

Deputy Clerk of the Superior Court  
Court House  
P.O. Box 1269  
Freehold, NJ 07728-1269  
LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

**SUSSEX COUNTY:**

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860  
LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

**BERGEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Room 115  
Justice Center, 10 Main St.  
Hackensack, NJ 07601  
LAWYER REFERRAL  
(201) 488-0044  
LEGAL SERVICES  
(201) 487-2166

**GLOUCESTER COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street  
Woodbury, NJ 08096  
LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

**MORRIS COUNTY:**

Morris County Courthouse  
Civil Division  
Washington and Court Streets  
P. O. Box 910  
Morristown, NJ 07963-0910  
LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

**UNION COUNTY:**

Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073  
LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

**BURLINGTON COUNTY:**

Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060  
LAWYER REFERRAL  
(609) 261-4862  
LEGAL SERVICES  
(609) 261-1088

**HUDSON COUNTY:**

Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House--1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306  
LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

**OCEAN COUNTY:**

Deputy Clerk of the Superior Court  
118 Washington Street, Room 121  
P.O. Box 2191  
Toms River, NJ 08754-2191  
LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500  
LAWYER REFERRAL  
(908) 859-4300  
LEGAL SERVICES  
(908) 475-2010

**CAMDEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Processing Office  
Hall of Justice  
1st Fl., Suite 150  
101 South 5th Street  
Camden, NJ 08103  
LAWYER REFERRAL  
(856) 482-0618  
LEGAL SERVICES  
(856) 964-2010

**HUNTERDON COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822  
LAWYER REFERRAL  
(908) 236-6109  
LEGAL SERVICES  
(908) 782-7979

**PASSAIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton Street  
Paterson, NJ 07505  
LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 523-2900

**CAPE MAY COUNTY:**

Deputy Clerk of the Superior Court  
9 N. Main Street  
Cape May Court House, NJ 08210  
LAWYER REFERRAL  
(609) 463-0313  
LEGAL SERVICES  
(609) 465-3001

**MERCER COUNTY:**

Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650  
LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

**SALEM COUNTY:**

Deputy Clerk of the Superior Court  
Attn: Civil Case Management Office  
92 Market Street  
Salem, NJ 08079  
LAWYER REFERRAL  
(856) 935-5629  
LEGAL SERVICES  
(856) 691-0494

**CUMBERLAND COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
60 West Broad Street  
P.O. Box 10  
Bridgeton, NJ 08302  
LAWYER REFERRAL  
(856) 696-5550  
LEGAL SERVICES  
(856) 691-0494

**MIDDLESEX COUNTY:**

Deputy Clerk of the Superior Court  
Middlesex Vicinage  
2nd Floor - Tower  
56 Paterson Street, P.O. Box 2633  
New Brunswick, NJ 08903-2633  
LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

**SOMERSET COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
P.O. Box 3000  
40 North Bridge Street  
Somerville, N.J. 08876  
LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

STARK & STARK, A Professional Corporation  
Mailing Address: PO Box 5315, Princeton, NJ 08543  
Office Location: 993 Lenox Drive, Lawrenceville, NJ 08648  
(609) 896-9060

**Michael G. Donahue, III, Esq.**

**Attorney ID#: 04577-1994**

**Attorneys for Plaintiffs**

**Joao Matias and Armanda Matias**

JOAO MATIAS and ARMANDA  
MATIAS, his wife,

Plaintiff,

vs.

APM TERMINALS NORTH AMERICA,  
INC.; APM TERMINALS ELIZABETH,  
LLC; A.P. MOLLER-MAERSK A/S; A.P.  
MOLLER-MAERSK INC.; MAERSK,  
INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA  
INC.; XYZ ENTITIES 1-10; ABC  
CORPORATIONS 1-10; and/or JOHN  
DOES 1-10 (fictitious designations),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY LAW DIVISION

Docket No. UNN-L-

**CIVIL ACTION**

**COMPLAINT AND JURY DEMAND**

**DEMAND FOR ANSWERS TO  
INTERROGATORIES**

Plaintiffs, JOAO MATIAS and ARMANDA MATIAS, residing in the City of New

Bedford, County of Bristol, and State of Massachusetts, by way of Complaint, say:

STARK & STARK  
ATTORNEYS AT LAW

**FIRST COUNT**

1. Plaintiff, JOAO MATIAS, was severely and permanently injured while lawfully on the premises known as the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

2. Defendant, APM TERMINALS NORTH AMERICA, INC., is a business entity incorporated in the State of Delaware with offices and a place of business in New Jersey. At all relevant times, Defendant, APM TERMINALS NORTH AMERICA, INC., engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

3. Defendant, APM TERMINALS NORTH AMERICA, INC., owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

4. Defendant, APM TERMINALS ELIZABETH, LLC, is a business entity incorporated in the State of Delaware with offices and a principle place of business in New Jersey. At all relevant times, Defendant, APM TERMINALS ELIZABETH, LLC, engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

5. Defendant, APM TERMINALS ELIZABETH, LLC, owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

6. Defendant, A.P. MOLLER – MAERSK A/S, is a business entity organized and existing under the laws of Denmark with an office and place of business located at Esplanaden 50 Copenhagen DK-1098. At all relevant times, Defendant, A.P. MOLLER – MAERSK A/S, engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

7. Defendant, A.P. MOLLER – MAERSK A/S, owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

8. Defendant, A.P. MOLLER-MAERSK INC., is a business entity incorporated in the State of Delaware with offices and a principle place of business at 180 Park Avenue, in the Borough of Florham Park, County of Morris, and State of New Jersey. At all relevant times, Defendant, A.P. MOLLER-MAERSK INC., engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

9. Defendant, A.P. MOLLER-MAERSK INC., owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

10. Defendant, MAERSK, INC., is a business entity incorporated in the State of New York with offices a principle place of business at 180 Park Avenue, in the Borough of Florham Park, County of Morris, and State of New Jersey. At all relevant times, Defendant, MAERSK, INC., engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

11. Defendant, MAERSK, INC. owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

12. Defendant, MAERSK A/S (also known as MAERSK LINE A/S), is a corporation organized and existing under the laws of Denmark with an office and place of business located in Copenhagen, Denmark. At all relevant times, Defendant, MAERSK A/S, engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

13. Defendant, MAERSK A/S, owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

14. Defendant, MAERSK AGENCY USA, INC., is a business entity incorporated in the State of Delaware, serving as an agent for MAERSK A/S (also known as MAERSK LINE A/S) in the United States, with offices and a principle place of business at 180 Park Avenue, in the Borough of Florham Park, County of Morris, and State of New Jersey. At all relevant times, Defendant, MAERSK AGENCY USA, INC., engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

15. Defendant, MAERSK AGENCY USA, INC., owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

16. Defendant, MAERSK SERVICES USA INC., is a business entity incorporated in the State of Delaware with offices and a principle place of business at 180 Park Avenue, in the Borough of Florham Park, County of Morris, and State of New Jersey. At all relevant times, Defendant, MAERSK SERVICES USA INC., engaged in business within the State of New Jersey, on a regular, systematic, continuous, and substantial basis.

17. Defendant, MAERSK SERVICES USA INC., owned, leased, possessed, operated, serviced, inspected, maintained, repaired, or controlled the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

18. At present, the identities of Defendants, XYZ ENTITIES 1-10, ABC CORPORATIONS 1-10, and JOHN DOES 1-10, are unknown. As such, XYZ ENTITIES 1-10, ABC CORPORATIONS 1-10, and JOHN DOES 1-10, are fictitious designations, representing one or

more individual(s), sole proprietorship(s), association(s), limited partnership(s), general partnership(s), limited liability company(ies) and/or corporation(s), which in any way owned, leased, possessed, operated, serviced, inspected, maintained, repaired, and/or controlled any part of the premises known as APM TERMINAL located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey.

19. On July 5, 2019, Plaintiff, JOAO MATIAS, was a business invitee and lawfully on the premises known as the APM TERMINAL, located at 5080 McLester Street, in the City of Elizabeth, County of Union, and State of New Jersey to perform his job duties, functions, and responsibilities as a truck driver.

20. At the same time and place, Plaintiff, JOAO MATIAS, exited his truck as required by the procedures, policies, directions, instructions or conditions present at the ATM Terminal.

21. At the same time and place, Plaintiff, JOAO MATIAS, was exposed to a dangerous condition including broken pavement, damaged pavement, uneven pavement, disrupted pavement, or other unreasonable condition.

22. At the same time and place, Plaintiff, JOAO MATIAS, was caused to fall due to a dangerous condition including broken pavement, damaged pavement, uneven pavement, disrupted pavement, or other unreasonable condition resulting in injury to Plaintiff, JOAO MATIAS.

23. Defendants, APM TERMINALS NORTH AMERICA, INC.; APM TERMINALS ELIZABETH, LLC; A.P. MOLLER-MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK, INC.; MAERSK A/S; MAERSK AGENCY USA, INC.; MAERSK SERVICES USA INC.; XYZ ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or JOHN DOES 1-10 (fictitious



designations), their agents, servants and employees, caused the aforesaid occurrence by negligent acts and omissions including, but not limited to, the following:

- a. allowing a dangerous condition including broken pavement, damaged pavement, uneven pavement, disrupted pavement, or other unreasonable conditions to exist despite actual notice;
- b. allowing a dangerous condition including broken pavement, damaged pavement, uneven pavement, disrupted pavement, or other unreasonable conditions to exist despite constructive notice;
- c. creating a dangerous condition including broken pavement, damaged pavement, uneven pavement, disrupted pavement, or other unreasonable conditions;
- d. failing to warn against the existence of a dangerous conditions including broken pavement, damaged pavement, uneven pavement, disrupted pavement, or other unreasonable conditions despite actual or constructive notice;
- e. failing to operate the APM Terminal in a reasonably safe manner;
- f. failing to provide reasonable procedures, policies, directions, instructions or conditions to protect drivers using the APM Terminal;
- g. failing to enforce reasonable procedures, policies, directions, instructions or conditions to protect drivers using the APM Terminal;
- h. failing to provide direction or instruction to drivers, including the Plaintiff, as to the appropriate container pick-up/drop off locations;
- i. failing to properly staff the APM Terminal with an employee or employees to direct drivers, including the Plaintiff, to the appropriate locations to park their trucks;

- j. requiring drivers, including the Plaintiff, to leave their vehicles to determine to obtain necessary information to perform their assigned task;
- k. absent, unsafe, unreasonable, or improper inspection of the APM Terminal including the pavement and other structures;
- l. absent, unsafe, unreasonable, or improper maintenance of the APM Terminal including the pavement and other structures;
- m. absent, unsafe, unreasonable, or improper repair of the APM Terminal including the pavement and other structures;
- n. failing to train and/or instruct its employees to inspect, repair, and maintain the APM Terminal including the pavement and other structures;
- o. permitting any other dangerous conditions to exist which were a cause of Plaintiff's injuries despite actual or constructive notice;
- p. failing to reasonably maintain the premises;
- q. failing to make proper and timely inspections of the APM Terminal including the pavement and other structures;
- r. failing to provide safe walking conditions and safe passageway for persons allowed on and invited to use the APM Terminal including the pavement and other structures; or
- s. otherwise in failing to exercise due care under the circumstances.

24. As a result of the negligence of Defendants, APM TERMINALS NORTH AMERICA, INC.; APM TERMINALS ELIZABETH, LLC; A.P. MOLLER-MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK, INC.; MAERSK A/S; MAERSK AGENCY USA, INC.; MAERSK SERVICES USA INC.; XYZ ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or JOHN

DOES 1-10 (fictitious designations), their agents, servants and employees, and their disregard for the safety of others, Plaintiff, JOAO MATIAS, was caused to suffer severe bodily injuries, some of which are permanent in nature, has been caused and will be caused to expend large sums of money for medical treatment necessary to effect a cure for his injuries, has been caused and will in the future be caused great pain and suffering, has been caused and will in the future be caused to be unable to pursue his usual activities, and has been and will in the future be caused to lose large sums of money due to his inability to pursue his usual occupation.

WHEREFORE, Plaintiff, JOAO MATIAS, demands Judgment against the Defendants, APM TERMINALS NORTH AMERICA, INC.; APM TERMINALS ELIZABETH, LLC; A.P. MOLLER-MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK, INC.; MAERSK A/S; MAERSK AGENCY USA, INC.; MAERSK SERVICES USA INC.; XYZ ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or JOHN DOES 1-10 (fictitious designations), individually, jointly, severally, or in the alternative, as follows:

- a. For compensatory damages, general and special, in any specific amount as the Court and Jury may deem just and proper;
- b. For interest;
- c. For costs of suit;
- d. For attorneys' fees; and
- e. For such further relief as the Court may deem just and proper.

#### **SECOND COUNT**

25. Plaintiff, ARMANDA MATIAS, is the wife of Plaintiff, JOAO MATIAS.

26. Plaintiff, ARMANDA MATIAS, repeats all the allegations set forth in the First Count of this Complaint and makes them apart hereof.

27. As a result of the negligence of defendants, Defendants, APM TERMINALS NORTH AMERICA, INC.; APM TERMINALS ELIZABETH, LLC; A.P. MOLLER-MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK, INC.; MAERSK A/S; MAERSK AGENCY USA, INC.; MAERSK SERVICES USA INC.; XYZ ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or JOHN DOES 1-10 (fictitious designations), and their disregard for the safety of others, Plaintiff, ARMANDA MATIAS, has been caused and will be caused loss services of her dear husband, and has been caused, and will be caused to suffer loss of consortium.

WHEREFORE, plaintiff, ARMANDA MATIAS, demands Judgment against the Defendants, APM TERMINALS NORTH AMERICA, INC.; APM TERMINALS ELIZABETH, LLC; A.P. MOLLER-MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK, INC.; MAERSK A/S; MAERSK AGENCY USA, INC.; MAERSK SERVICES USA INC.; XYZ ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or JOHN DOES 1-10 (fictitious designations), individually, jointly, severally, or in the alternative, as follows:

- a. For compensatory damages, general and special, in any specific amount as the Court and Jury may deem just and proper;
- b. For interest;
- c. For costs of suit;
- d. For attorneys' fees; and
- e. For such further relief as the Court may deem just and proper.

STARK & STARK  
A Professional Corporation  
Attorneys for Plaintiff

By: /s Michael G. Donahue  
MICHAEL G. DONAHUE

STARK & STARK  
ATTORNEYS AT LAW

**JURY DEMAND**

Plaintiffs, JOAO MATIAS and ARMANDA MATIAS, hereby demand a trial by jury as to all issues.

**CERTIFICATION OF OTHER ACTIONS/PARTIES**

Pursuant to the provisions of Rule 4:5-1, the undersigned attorney certifies that this matter is the subject of a worker's compensation action pending in the Commonwealth of Massachusetts. All known necessary parties have been joined in this action.

**CERTIFICATION OF COMPLIANCE WITH R.1:38-7(c)(1)**

Pursuant to R. 1:38-7(b), all confidential identifiers of the parties to this action have or will be redacted from all documents or pleadings submitted to the court.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to the provisions of R. 4:25-4 the Court is advised that MICHAEL G. DONAHUE is hereby designated as trial counsel.

STARK & STARK  
A Professional Corporation  
Attorneys for Plaintiff

By: /s Michael G. Donahue  
MICHAEL G. DONAHUE

**DEMAND FOR ANSWERS TO INTERROGATORIES  
& SUPPLEMENTAL INTERROGATORIES**

Plaintiff, JOAO MATIAS and ARMANDA MATIAS, demand that Defendants APM TERMINALS NORTH AMERICA, INC.; APM TERMINALS ELIZABETH, LLC; A.P. MOLLER-MAERSK A/S; A.P. MOLLER-MAERSK INC.; MAERSK, INC.; MAERSK A/S;

STARK & STARK  
ATTORNEYS AT LAW

MAERSK AGENCY USA, INC.; and MAERSK SERVICES USA INC., provide answers to interrogatories as follows:

**FORM C and FORM C(2) UNIFORM INTERROGATORIES**, *as set forth in Appendix II of the New Jersey Court Rules effective September 1, 2016.*

**SUPPLEMENTAL INTERROGATORIES #1-10.**

STARK & STARK  
A Professional Corporation  
Attorneys for Plaintiff

By: /s Michael G. Donahue  
MICHAEL G. DONAHUE

Dated: April 21, 2021

STARK & STARK  
ATTORNEYS AT LAW

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L-1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Alicia Lynch, being duly sworn, state:

I, Alicia Lynch, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on Maersk Agency U.S.A., Inc. in Mercer County, NJ on April 23, 2021 at 2:49 pm at 820 Bear Tavern Rd, West Trenton, NJ 08628 by leaving the following documents with Breon Thompson who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for Maersk Agency U.S.A., Inc..

Summons of Maersk Agency U.S. A., Inc.  
Complaint

**Additional Description:**

I was able to serve Breon Thompson the intake specialist at CT Corp, the registered agent for Maersk Agency USA Inc, on Friday afternoon at 2:45 p.m. April 23rd 2021.

Black or African American Male, est. age 30, glasses: Y, Black hair, 140 lbs to 160 lbs, 5' 6" to 5' 9".  
Geolocation of Serve: <http://maps.google.com/maps?q=40.27840536,-74.82810828>  
Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND CORRECT.

Executed in Bucks County, PA on  
4/23/2021 .

*Alicia Lynch*  
Signature  
Alicia Lynch  
(267) 912-9470



SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on A.P. Moller - Maersk A/S in Mercer County, NJ on April 28, 2021 at 1:41 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for A.P. Moller - Maersk A/S.

Summons

Complaint

Additional Description:

Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".

Geolocation of Serve: <http://maps.google.com/maps?q=40.2784648703,-74.8286653034>

Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND

CORRECT.

Executed in Union County, NJ on  
5/3/2021.

Jason Rienzo  
Signature  
Jason Rienzo  
(848) 459-2182

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on A.P. Moller - Maersk Inc. in Mercer County, NJ on April 28, 2021 at 1:42 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott Kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for A.P. Moller - Maersk Inc..

Summons

Complaint

Additional Description:

Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".

Geolocation of Serve: <http://maps.google.com/maps?q=40.2784651036,-74.8286277693>

Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND

CORRECT.

Executed in Union County, NJ on  
5/3/2021.

Jason Rienzo  
Signature  
Jason Rienzo  
(848) 459-2182

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on APM Terminals Elizabeth, LLC in Mercer County, NJ on April 28, 2021 at 1:40 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott Kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for APM Terminals Elizabeth, LLC.

Summons  
Complaint

Additional Description:  
Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".  
Geolocation of Serve: <http://maps.google.com/maps?q=40.2784690225,-74.8286651293>  
Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND  
CORRECT.

Executed in Union County, NJ on  
5/3/2021.

*Jason Rienzo*  
Signature  
Jason Rienzo  
(848) 459-2182

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on APM Terminals North America, Inc. in Mercer County, NJ on April 28, 2021 at 1:38 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott Kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for APM Terminals North America, Inc..

Summons  
Complaint

Additional Description:  
Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".  
Geolocation of Serve: <http://maps.google.com/maps?q=40.2784655886,-74.8286476227>  
Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND  
CORRECT.

Executed in Union County, NJ on  
5/3/2021.

Jason Rienzo  
Signature  
Jason Rienzo  
(848) 459-2182



SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on Maersk A/S in Mercer County, NJ on April 28, 2021 at 1:45 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott Kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for Maersk A/S.

Summons

Complaint

Additional Description:

Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".

Geolocation of Serve: <http://maps.google.com/maps?q=40.2784699854,-74.8286638928>

Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND

CORRECT.

Executed in Union County, NJ on  
5/3/2021.

Jason Rienzo  
Signature  
Jason Rienzo  
(848) 459-2182

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on Maersk, Inc. in Mercer County, NJ on April 28, 2021 at 1:44 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott Kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for Maersk, Inc..

Summons

Complaint

Additional Description:

Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".

Geolocation of Serve: <http://maps.google.com/maps?q=40.2784540298,-74.8286833677>

Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND

CORRECT.

Executed in Union County, NJ on  
5/3/2021.

Jason Rienzo  
Signature  
Jason Rienzo  
(848) 459-2182

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY - LAW DIVISION

**JOAO MATIAS and ARMANDA MATIAS, his wife,**

*Plaintiff(s) / Petitioner(s)*

v.

**APM TERMINALS NORTH AMERICA, INC.; APM  
TERMINALS ELIZABETH, LLC; A.P. MOLLER-  
MAERSK A/S; A.P. MOLLER-MAERSK INC.;  
MAERSK, INC.; MAERSK A/S; MAERSK AGENCY  
USA, INC.; MAERSK SERVICES USA INC.; XYZ  
ENTITIES 1-10; ABC CORPORATIONS 1-10; and/or  
JOHN DOES 1-10 (fictitious designations),**

Case No.: UNN-L- 1388-21

*Defendant(s) / Respondent(s)*

**AFFIDAVIT OF SERVICE**

I, Jason Rienzo, being duly sworn, state:

I, Jason Rienzo, declare under penalty of perjury that the following is true and correct: At the time of service, I was a competent adult not having a direct interest in the litigation.

I served the following documents on Maersk Services USA Inc. in Mercer County, NJ on April 28, 2021 at 1:46 pm at 820 BEAR TAVERN ROAD, WEST TRENTON, NJ 08628 by leaving the following documents with Scott kuntz who as Intake specialist at CT Corporation System is authorized by appointment or by law to receive service of process for Maersk Services USA Inc..

Summons

Complaint

Additional Description:

Served on registered agent as directed

White Male, est. age 30, glasses: Y, Brown hair, 180 lbs to 200 lbs, 5' 6" to 5' 9".

Geolocation of Serve: <http://maps.google.com/maps?q=40.2784694479,-74.8286464508>

Photograph: See Exhibit 1

I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS HEREIN ARE TRUE AND

CORRECT.

Executed in Union County, NJ on  
5/3/2021.

*Jason Rienzo*  
Signature  
Jason Rienzo  
(848) 459-2182